

MEETINGS TO DATE 4  
NO. OF REGULARS 4  
NO. OF SPECIALS 0

LANCASTER, NEW YORK  
FEBRUARY 14, 1983

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 14th day of February, 1983, at 8:00 P.M. and there were:

PRESENT: STANLEY JAY KEYSA, SUPERVISOR  
RONALD A. CZAPLA, COUNCILMAN  
ROBERT H. GIZA, COUNCILMAN  
LEONARD E. GRZYBOWSKI, COUNCILMAN  
DONALD E. KWAK, COUNCILMAN

ABSENT: NONE

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK  
DOMINIC J. TERRANOVA, TOWN ATTORNEY  
RICHARD J. SHERWOOD, DEPUTY TOWN ATTORNEY  
ROBERT LABENSKI, TOWN ENGINEER  
VIRGIL J. PAUL, HIGHWAY SUPERINTENDENT  
THOMAS E. FOWLER, CHIEF OF POLICE  
ROBERT L. LANEY, BUILDING INSPECTOR

BID OPENINGS:

None

PUBLIC HEARING SCHEDULED FOR 8:30 P.M.:

At 8:30 P.M. the Town Board held a Public Hearing to hear and receive public comment related to environmental concerns over a proposed project involving the construction of condominium housing units by Josela Enterprises in the area of Broadway and Bowen Road, said project known as Belltower Village.

PUBLIC HEARING SCHEDULED FOR 8:30 P.M. CONT'D.:

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

The Town Clerk presented a copy of a letter and Legal Notice which were mailed to Josela Enterprises, R. Maides, Architect for Josela; the Chairman of the Planning Board, the Town Attorney and the Building Inspector.

The Supervisor directed the Town Clerk to note the presence of the following Planning Board members at this hearing: Malcolm J. Francis, Jr., Brian A. J. Fahey, Anthony Franjoine, Donna M. Gumulak, George E. O'Neil, and Mildred Whittaker.

The Deputy Town Attorney explained to those present that the Town Board called this public hearing to receive comments upon any environmental concerns that the public wishes to bring to the attention of the Town Board relative to a project known as the Belltower Village Condominium Project, scheduled to be built in the area of Bowen Road, off Broadway.

The Deputy Town Attorney explained that those items which are usually brought to the attention of the Town Board are items such as noise pollution, air pollution, animal and wildlife preservation.

The Supervisor asked if any persons present wished to be heard on this subject.

Mr. Richard Maides, architect for Belltower Village development, presented and described to those present the scope of the proposed development.

The Supervisor reported that he received a phone call from the Superintendent of Como Park, Mr. Michael Gallo. Mr. Gallo indicated to the Supervisor that he has no objection to the proposed development.

The Supervisor again asked for comments from the public. None were forthcoming.

ON MOTION BY COUNCILMAN CZAPLA, SECONDED BY COUNCILMAN GIZA AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 8:45 P.M.

OFFICIAL REPORTS:

None

COMMITTEE REPORTS:

Councilman Czapla, for the Tree Planting Committee, reported that specifications are being prepared and bids will be invited on March 7, 1983, for the 1983 Tree Planting Program of the Town of Lancaster.

Councilman Giza, for the Human Services Committee, reported that the Town of Lancaster, in conjunction with the Trinity Episcopal Church, is embarking upon a Cheese Distribution Program for the Town of Lancaster.

It is anticipated that the cheese will be distributed at four separate locations within the township and it is anticipated that there will be as many as four separate distributions throughout the next few months.

Councilman Kwak, for the Traffic Committee, reported that there is additional data needed before a decision can be made relative to a traffic control device at the corner of Broadway and Bowen Road.

Since Bowen Road has been closed to traffic due to the reconstruction of the Bowen Road Bridge, the additional data necessary, specifically traffic counts, will not be able to be obtained until the bridge is reopened upon completion of reconstruction.

PRESENTATION OF PREFILED RESOLUTIONS:

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN CZAPLA , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
GIZA , TO WIT:

RESOLVED, that the minutes of the meeting of the Town Board held  
January 31, 1983, as presented by the Town Clerk, be and hereby are approved.

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA	VOTED YES
COUNCILMAN GIZA	VOTED YES
COUNCILMAN GRZYBOWSKI	VOTED YES
COUNCILMAN KWAK	VOTED YES
SUPERVISOR KEYSA	VOTED YES

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The resolution was thereupon unanimously adopted.

February 14, 1983

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN GIZA , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
KWAK , TO WIT:

WHEREAS, vancancies exist on the Board of the Town of Lancaster  
Youth Bureau, and

WHEREAS, the Executive Director of said Board, by letter dated  
February 4, 1983, has recommended the appointment of certain individuals  
to fill said vacancies,

NOW, THEREFORE, BE IT

RESOLVED, that RICCARDO ZUPPELLI, 91 Cambria Street, Lancaster,  
New York and CHRISTOPHER KRAFCHAK, 3674 Walden Avenue, Lancaster, New York  
be and are hereby appointed members of the Board of the Town of Lancaster  
Youth Bureau for the period February 14, 1983 to May 31, 1984.

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED YES
COUNCILMAN GIZA	VOTED YES
COUNCILMAN GRZYBOWSKI	VOTED YES
COUNCILMAN KWAK	VOTED YES
SUPERVISOR KEYSA	VOTED YES

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The resolution was thereupon unanimously adopted.

February 14, 1983

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN KWAK , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
GIZA , TO WIT:

WHEREAS, the Supervisor of the Town of Lancaster, by letter dated February 10, 1983, has requested authorization for David Brown, of the Supervisor's Office, to attend an accounting class entitled "Introduction to Financial Accounting", at the State University of New York at Buffalo,

NOW, THEREFORE, BE IT

RESOLVED, that DAVID BROWN be and is hereby authorized to attend an accounting class entitled "Introduction to Financial Accounting", and

BE IT FURTHER

RESOLVED, that expense reimbursement required for the attendance of David Brown, including mileage, tuition and books, be and is hereby authorized.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN GRZYBOWSKI	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

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The resolution was thereupon unanimously adopted.

February 14, 1983

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN KWAK , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
CZAPLA , TO WIT:

WHEREAS, the Recreation Department of the Town of Lancaster will  
require certain arts and crafts supplies for the operation of the Recreation  
Program during the year 1983, which may reasonably be expected to exceed the  
sum of \$3,000.00, and

WHEREAS, it is in the public interest that sealed bids for the  
purchase of such supplies be invited,

NOW, THEREFORE, BE IT

RESOLVED, that a Notice to Bidders, in form attached hereto and  
made a part hereof, be published in the Lancaster Enterprise and be posted  
according to law, that the Town Board will receive bids up to 8:00 o'clock  
P.M., Local Time, on March 7, 1983, for the purchase of arts and crafts  
supplies for the Recreation Department of the Town of Lancaster in accordance  
with specifications on file in the office of the Town Clerk.

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN GRZYBOWSKI	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

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The resolution was thereupon unanimously adopted.

February 14, 1983

LEGAL NOTICE  
NOTICE TO BIDDERS  
TOWN OF LANCASTER

SEALED BIDS will be received and publicly opened by the Town Board of the Town of Lancaster at 8:00 o'clock P.M., Local Time, March 7, 1983, for the purchase of arts and crafts supplies for the Recreation Department of the Town of Lancaster.

Specifications for such arts and crafts supplies are on file with and may be obtained from the Town Clerk of the Town of Lancaster, 21 Central Avenue, Lancaster, New York.

The Town Board reserves the right to reject any or all bids and to waive any informalities.

TOWN BOARD OF THE  
TOWN OF LANCASTER

BY: ROBERT P. THILL  
Town Clerk

February 14, 1983



THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN KWAK , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
GIZA , TO WIT:

WHEREAS, resident taxpayers 65 years of age on fixed low incomes have been severely hampered in efforts to keep pace with rising inflation and shockingly increasing cost of living, and

WHEREAS, our elderly taxpayers have shouldered their share of the tax burden for the most part of their working productive lifetime and in their waning years make very little demand for governmental services, and

WHEREAS, Section 467 of the Real Property Tax Law of the State of New York has been amended to authorize an increase in the income requirement from Nine Thousand Two Hundred Dollars (\$9,200.00) net income to not exceeding Ten Thousand Five Hundred Dollars (\$10,500.00) net income, and

WHEREAS, the increase in income eligibility for Town taxes from Nine Thousand Two Hundred Dollars (\$9,200.00) to Ten Thousand Five Hundred Dollars (\$10,500.00), will place no particular burden on the taxpaying public, but will materially improve the economic ability of our senior citizens in coping with the ravages of inflation while living on fixed retirement income in their declining years, and

WHEREAS, the Town Board of the Town of Lancaster deems it in the public interest to repeal Section 40-2(A)(1) of Chapter 40, Tax Exemption, of the Code of the Town of Lancaster relating to tax exemption of real property owned by persons 65 years of age and over, and to enact in place thereof, the following:

"Sec.40.2. Exemptions: Application.

A. No exemption shall be granted:

(1) If the income of the owner or the combined income of owners of the property for the income tax year immediately preceding the date of making application for exemption exceeds the sum of Ten Thousand Five Hundred Dollars (\$10,500.00). Income tax year shall mean the twelve month period for which the owner or owners filed a federal personal income tax return, or if no such return is filed, the calendar year. Where title is vested in either the husband or the wife, their combined income may not exceed such sum. Such income shall include social security and retirement benefits, interest, dividends, total gain from the sale or exchange of a capital asset which may be offset by a loss

from the sale or exchange of a capital asset in the same income tax year, net rental income, salary or earnings, and not include a return of capital, gifts, or inheritances in computing net rental income and net income from self-employment, no depreciation deduction shall be allowed for the exhaustion, wear and tear of real or personal property held for the production of income;"

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Section 130 of the Town Law of the State of New York and pursuant to Section 467 of the Real Property Tax Law of the State of New York, a Public Hearing on the proposed repeal of the existing Section 40-2(A)(1) of Chapter 40, Tax Exemption, of the Code of the Town of Lancaster, and enactment of a new Section 40-2(A)(1) of Chapter 40, Tax Exemption, of the Code of the Town of Lancaster, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 7th day of March, 1983, at 8:30 o'clock P.M., Local Time, and that Notice of the time and place of such hearing be published in the Lancaster Enterprise, the official newspaper, and be posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA	VOTED YES
COUNCILMAN GIZA	VOTED YES
COUNCILMAN GRZYBOWSKI	VOTED YES
COUNCILMAN KWAK	VOTED YES
SUPERVISOR KEYSA	VOTED YES

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The resolution was thereupon unanimously adopted.

February 14, 1983

LEGAL NOTICE  
PUBLIC HEARING  
TOWN OF LANCASTER

NOTICE IS HEREBY GIVEN, that pursuant to the Town Law of the State of New York and Section 467 of the Real Property Tax Law of the State of New York and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 14th day of February, 1983, the said Town Board will hold a Public Hearing on the 7th day of March, 1983, at 8:30 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, upon the repeal of the existing Section 40-a(A)(1) of Chapter 40, Tax Exemption, of the Code of the Town of Lancaster and the enactment of a new Section 40-a(A)(1) to replace same to read as follows:

"Sec. 40-2 Exceptions; application.

A. No exemption shall be granted:

- (1) If the income of the owner or the combined income of the owners of the property for the income year immediately preceding the date of making application for exemption exceeds the sum of Ten Thousand Five Hundred Dollars (\$10,500.00). Income tax year shall mean the twelve month period for which the owner or owners filed a federal personal income tax return, or if no such return is filed, the calendar year. Where title is vested in either the husband or the wife, their combined income may not exceed such sum. Such income shall include social security and retirement benefits, interest dividends, total gain from the sale or exchange of a capital asset which may be offset by a loss from the sale or exchange of a capital asset in the same income tax year, net rental income, salary or earnings, and net income from self-employment, but shall not include a return of capital, gifts or inheritances. In computing net rental income and net income from self-employment, no depreciation deduction shall be allowed for the exhaustion, wear and tear of real or personal property held for the production of income."

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE  
TOWN OF LANCASTER

BY: ROBERT P. THILL  
Town Clerk

February 14, 1983

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN KWAK , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
GIZA , TO WIT:

WHEREAS, the Bowmansville Volunteer Fire Association, Inc., by  
letter dated February 8, 1983, has requested confirmation of one (1)  
probationary limited active member, duly elected to the Membership of the  
Bowmansville Volunteer Fire Association, Inc.,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby  
confirms the addition to the membership of the following individual in the  
Bowmansville Volunteer Fire Association, Inc.:

PROBATIONARY LIMITED ACTIVE MEMBER

Christopher Schroeck  
49 Meadow Lea  
Lancaster, New York

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED YES
COUNCILMAN GIZA	VOTED YES
COUNCILMAN GRZYBOWSKI	VOTED YES
COUNCILMAN KWAK	VOTED YES
SUPERVISOR KEYSA	VOTED YES

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The resolution was thereupon unanimously adopted.

February 14, 1983

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN CZAPLA , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
GIZA , TO WIT:

WHEREAS, the Supervisor, by memorandum dated February 1, 1983,  
has recommended that the Town of Lancaster rent a safe deposit box at the  
Liberty National Bank and Trust Company in Depew for the purpose of storing  
the general accounting program of the accounts of the Town of Lancaster, along  
with various photocopies of updated account cards,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Lancaster be and is  
hereby authorized to rent a safe deposit box, in the name of the Town of  
Lancaster, from Liberty National Bank and Trust Company, and that any one of  
the following, namely, Stanley Jay Keysa, Supervisor, David Brown, Secretary,  
Irene Dwyer, Clerk-Typist, Frances Bartoszek, Bookkeeping Machine Operator,  
are in accordance with the terms of this rental contract, between this  
corporation and the Bank, authorized to have access to such box and to remove  
its contents, and to terminate the rental of the same and surrender it and  
the keys thereto, and that such authority shall continue until a duly  
certified copy of a resolution changing or revoking such authority shall be  
filed with the Bank, and

BE IT FURTHER

RESOLVED, that the Town Clerk of this corporation is authorized  
and directed to certify to the Bank a copy of these resolutions and the  
genuine signatures of the officers and persons hereby authorized, and

BE IT FURTHER

RESOLVED, that all prior resolutions heretofore passed by the  
Board of Directors of this corporation, authorizing access to a safe deposit  
box leased from the Bank, are hereby rescinded and repealed.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN GRZYBOWSKI	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

~~all~~  
The resolution was thereupon unanimously adopted.

February 14, 1983

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN KWAK , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
GRZYBOWSKI , TO WIT:

WHEREAS, the Town Board adopted a resolution on January 3, 1983  
setting forth the holidays to be observed by the Lancaster Highway Department  
employees, during the year 1983, and

WHEREAS, it is necessary to amend this resolution so that it  
correctly reflects those holidays as set forth in agreement by and between  
the Town of Lancaster and the Town of Lancaster Highway Unit, Local No. 815,  
Civil Service Employees Association, Inc., dated March 15, 1982,

NOW, THEREFORE, BE IT

RESOLVED, that the second resolve of the resolution adopted on  
January 3, 1983 be and is hereby deleted and substituted therefore is the  
following:

"RESOLVED, that when a listed holiday falls on a Saturday, the  
Friday preceding will be observed as the holiday and when a listed holiday  
falls on a Sunday, the Monday following shall be observed as the holiday".

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED YES
COUNCILMAN GIZA	VOTED YES
COUNCILMAN GRZBYOWSKI	VOTED YES
COUNCILMAN KWAK	VOTED YES
SUPERVISOR KEYSA	VOTED YES

~~clerk~~ x

The resolution was thereupon unanimously adopted.

February 14, 1983

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN KWAK , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
CZAPLA , TO WIT:

WHEREAS, the Recreation Department of the Town of Lancaster will  
require certain sporting goods and athletic equipment for the operation of the  
Recreation Program during the year 1983, which may reasonably be expected  
to exceed the sum of \$3,500.00, and

WHEREAS, it is in the public interest that sealed bids for the  
purchase of such supplies and equipment be invited,

NOW, THEREFORE, BE IT

RESOLVED, that Notice to Bidders, in form attached hereto and made  
a part hereof, be published in the Lancaster Enterprise and be posted according  
to Law that the Town Board will receive bids up to 8:15 o'clock P.M., Local  
Time, on March 7, 1983, for the purchase of arts and crafts supplies for the  
Recreation Department of the Town of Lancaster in accordance with specifications  
on file in the office of the Town Clerk.

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN GRZYBOWSKI	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

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The resolution was thereupon unanimously adopted.

February 14, 1983



LEGAL NOTICE  
NOTICE TO BIDDERS  
TOWN OF LANCASTER

SEALED BIDS will be received and publicly opened by the Town Board of the Town of Lancaster at 8:15 o'clock P.M. , Local Time, March 7, 1983, for the purchase of sporting goods and athletic equipment for the Recreation Department of the Town of Lancaster.

Specifications for such sporting goods and athletic equipment are on file with and may be obtained from the Town Clerk of the Town of Lancaster, 21 Central Avenue, Lancaster, New York.

The Town Board reserves the right to reject any or all bids and to waive any informalities.

TOWN BOARD OF THE  
TOWN OF LANCASTER

BY: ROBERT P. THILL  
Town Clerk

February 14, 1983

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN GRZYBOWSKI , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
KWAK , TO WIT:

RESOLVED, that the following amendments to the 1983 Budget be and  
hereby are effected:

	<u>Account No.</u>	<u>Increase Amount</u>
<u>MASTER WATER IMPVOREMENT AREA</u>		
Appropriated Balance	SW 599	\$2,000.00
Budget Appropriations	SW 960	2,000.00
Judgements and Claims	SW 8357	2,000.00

GENERAL FUND

	<u>Acct.</u>	<u>Increase</u>	<u>Decrease</u>
<u>1983 Budget Transfers:</u>			
Bond & Note Issue Expense	1960	\$2,500.00	
Contingent Account	1990		\$ 2,500.00

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call , which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN GRZYBOWSKI	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

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The resolution was thereupon unanimously adopted.

February 14, 1983

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN GRZYBOWSKI , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
CZAPLA , TO WIT:

RESOLVED, that the following Audited Claims be and are hereby  
ordered paid from their respective accounts:

<u>ACCOUNT</u>	<u>ORDER NUMBER</u>	<u>TOTAL AMOUNT</u>
General Fund	No. 3349 to 3415 Incl.	\$77,386.22
Highway Fund	No. 1513 to 1536 Incl.	\$23,610.84
Special District Fund	No. 633 to 635 Incl.	\$14,837.62
Trust & Agency Fund	No. 635 to 639 Incl.	\$19,712.97
Federal Revenue Sharing Fund	No. 518 to 527 Incl.	\$ 4,844.87
Community Development Fund	No. 1112 to 1113 Incl.	\$ 84.14
Improvement Facilities Sewer Dist. No. 2	No. 105 to 106 Incl.	\$32,769.09

and,

BE IT FURTHER

RESOLVED, that the claim of Lancaster Sanitary Landfill for \$24.00  
and the claim of Rogers Village Hardware for \$60.14, be and are hereby  
approved and the Supervisor be and is hereby ordered to submit these claims  
for payment from Community Development Project No. 435313.

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED YES
COUNCILMAN GIZA	VOTED YES
COUNCILMAN GRZYBOWSKI	VOTED YES
COUNCILMAN KWAK	VOTED YES
SUPERVISOR KEYSA	VOTED YES

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The resolution was thereupon unanimously adopted.

February 14, 1983

THE FOLLOWING RESOLUTION WAS OFFERED  
 BY COUNCILMAN CZAPLA , WHO MOVED  
 ITS ADOPTION, SECONDED BY COUNCILMAN  
 KWAK , TO WIT:

RESOLVED, that the following Building Permit Applications be and  
 are hereby approved and the issuance of Building Permits be and are hereby  
 authorized:

<u>NO.</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>STRUCTURE</u>
7	Josela Enter.	7 Partridge Wk.	ER. FR. SIN. DLWG, PVT. GARAGE
8	Anthony Grad	24 Kennedy Ct.	ER. CHIMNEY

The question of the adoption of the foregoing resolution was duly  
 put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN GRZYBOWSKI	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

~~clerk~~  
 The resolution was thereupon unanimously adopted.

February 14, 1983

Councilman Giza requested a suspension of the necessary rule for immediate consideration of the following resolution -  
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN GIZA , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
KWAK , TO WIT:

WHEREAS, the possible consolidation or merger of the police departments of the Village of Lancaster and Town of Lancaster has been generally discussed at various times over the past thirty years, and

WHEREAS, in recent months this matter has come under serious discussion by the Municipal Liaison Committee of the Town Board and Village Board upon the initiative of village board members. A draft proposal was conceived and executed by the Town Police Chief as a starting point for serious discussions on this general subject and several meetings of village and town officials have been held and a joint press release, pledging further study and organizing committees to that end, was executed on December 22, 1982, and

WHEREAS, at a meeting of village and town officials on the evening of February 8, 1983, the majority of the village board members announced their termination of discussions on the possible merger or consolidation of village and town police departments and announced the disbanding of the committee heretofore organized, and

WHEREAS, it has been the Town Board's approach that the Town would cooperate in a study for discussions for possible merger or consolidation of the two police forces as long as both municipal governments adhered to this policy, studying all aspects of this matter,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board adopts the following Policy Statement:

Since these discussions were initiated, the Town's position has been one of cooperation and support in determining fiscal and legal matters concerned in this problem. As the principal benefits and adjustments would lie within the Village of Lancaster, the Town Board accepts the decision of the majority of the Village Board to terminate such discussions.

It should be pointed out, however, that the decision to terminate discussions was made prior to the completion of the necessary legal and fiscal input that would be basic to a fair and full determination of the economic and practical benefits to both communities.

The Town Board will continue to be available and to maintain open lines of communication with both villages and all other levels of government on mutual governmental problems, in order to maintain the highest level of municipal services to the people of this community."

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED YES
COUNCILMAN GIZA	VOTED YES
COUNCILMAN GRZYBOWSKI	VOTED YES
COUNCILMAN KWAK	VOTED YES
SUPERVISOR KEYSA	VOTED YES

The resolution was thereupon unanimously adopted.

February 14, 1983

Councilman Kwak requested a suspension of the necessary rule for immediate consideration of the following resolution -  
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN KWAK , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
GRZYBOWSKI , TO WIT:

WHEREAS, the Supervisor has requested that a Special Meeting of the Town Board be held at 7:00 P.M., Wednesday, February 16, 1983, at the Town Hall of the Town of Lancaster for the purpose of jointly discussing with the Lancaster Town Planning Board the environmental considerations and impact of the proposed Belltower Village condominium complex, off Bowen Road near Broadway, within the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby sets a Special Meeting of the Town Board of the Town of Lancaster at 7:00 P.M., Wednesday, February 16, 1983, at the Town Hall of the Town of Lancaster to discuss with the Planning Board the environmental considerations of the proposed Belltower Village project, and

BE IT FURTHER

RESOLVED, that the Town Clerk is hereby directed to give notice in accordance with the Open Meetings Law of the State of New York, to the media.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED YES
COUNCILMAN GIZA	VOTED YES
COUNCILMAN GRZYBOWSKI	VOTED YES
COUNCILMAN KWAK	VOTED YES
SUPERVISOR KEYSA	VOTED YES

The resolution was thereupon unanimously adopted.

February 14, 1983

Councilman Giza requested a suspension of the necessary rule for immediate consideration of the following resolution:

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN GIZA , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
GRZYBOWSKI , TO WIT:

WHEREAS, GLOBAL CABLE TV, the CATV Franchisee for the Town of Lancaster, has requested that it be permitted to transfer the franchise to TRI-COUNTY CABLEVISION, INC., a subsidiary of Cablevision Industries, Inc., and

WHEREAS, the Town Board has heard the principals/representatives of GLOBAL CABLE TV and representatives of TRI-COUNTY CABLEVISION, INC., and

WHEREAS, the Franchise Agreement provides at Section 20(B) that transfer or sale of the franchise is subject to the approval of the Town of Lancaster and the New York State Commission on Cable TV, and

WHEREAS, the New York State Commission on Cable Television has advised by written communication dated February 9, 1983, that municipal approval of any proposed transfer is necessary prior to submittal of the request for transfer to the State Commission on Cable Television,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster, after hearing the franchisee, GLOBAL CABLE TV and the proposed transferee, TRI-COUNTY CABLEVISION, INC., does hereby approve the transfer of the franchise from GLOBAL CABLE TV to TRI-COUNTY CABLEVISION, INC., subject to the following conditions:

(1) Receipt by the Town Board of a written statement from TRI-COUNTY CABLEVISION, INC., affirming its desire to be the transferee of the franchise from GLOBAL CABLE TV.



(2) Receipt by the Town Board of a written statement from TRI-COUNTY CABLEVISION, INC., that it will embrace the terms and conditions of the franchise as it was originally granted to GLOBAL CABLE TV and assume the terms and conditions of the franchise in total, including the placement of an Eighty (80) cable-mile TV system within ninety (90) days and twelve (12) months of receipt of the final utility easements.

(3) Receipt by the Town Board and approval by the Town Board of an audited financial statement for the most recent fiscal year from TRI-COUNTY CABLEVISION, INC.

(4) Application by GLOBAL CABLE TV to the New York State Commission on Cable Television for approval of the transfer of the franchise and approval of said transfer by the New York State Commission on Cable Television.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA	VOTED YES
COUNCILMAN GIZA	VOTED YES
COUNCILMAN GRZYBOWSKI	VOTED YES
COUNCILMAN KWAK	VOTED YES
SUPERVISOR KEYSA	VOTED YES

The resolution was thereupon unanimously adopted .

February 14, 1983

Councilman Grzybowski requested a suspension of the necessary rule for immediate consideration of the following resolution -  
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN GRZYBOWSKI , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
KWAK , TO WIT:

WHEREAS, the Town of Lancaster, must periodically purchase items for use by the Town which are the same as items purchased by the County of Erie, State of New York, under contracts entered into by the County, pursuant to competitive bidding procedures, and

WHEREAS, the Highway Superintendent has indicated that a substantial cost savings can be realized by his department and the Town of Lancaster if the Town were to take advantage of being included on the County's competitive bidding list, and

WHEREAS, it is in the best interest of the Town of Lancaster to seek the lowest possible price of any product purchased by the Town, including highway materials, asphalt, and oil,

NOW, THEREFORE, BE IT

RESOLVED, that the Town of Lancaster solicit the Director of Purchasing for the County of Erie for a resolution from the Erie County Legislature, placing the Town of Lancaster on the Erie County bid list.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED YES
COUNCILMAN GIZA	VOTED YES
COUNCILMAN GRZYBOWSKI	VOTED YES
COUNCILMAN KWAK	VOTED YES
SUPERVISOR KEYSA	VOTED YES

The resolution was thereupon unanimously adopted.

February 14, 1983

STATUS REPORT ON UNFINISHED BUSINESS:

1. Public Improvement Permit Authorization - Country View East Subdivision, Phase 1 (Marrano)  
The retention pond has not yet been accepted but completion is secured by a Letter of Credit expiring on November 1, 1983.
2. Public Improvement Permit Authorization - Heritage Hills Subdivision, Phase 1  
The Town Board is awaiting maintenance security for P.I.P. No. 65 (retention pond) prior to acceptance.
3. Public Improvement Permit Authorization - Woodview Estates Subdivision  
The Town Board authorized issuance of P.I.P. No. 57 (sidewalks) and No. 58 (street lighting) which have not yet been accepted by the Town Board. There is no retention pond associated with this subdivision.
4. Road Acceptance - Pasquale Drive  
On November 15, 1982, the Town Board tabled this matter for further study.
5. Subdivision Approval - Lancaster Industrial Commerce Center  
On May 12, 1981, the N.Y.S. Dept. of Audit and Control acknowledged receipt of water, sanitary sewer, and drainage district applications.
6. Subdivision Approval - Plumb Bottom Estates  
On June 1, 1981, this matter was presented to the Town Board and referred to the Planning Board for review and recommendation.
7. Traffic Study - Bowen Road and Broadway  
On November 30, 1982, the N.Y.S. Dept. of Transportation forwarded to the Supervisor a traffic count for the intersection of Broadway and Bowen Roads.
8. Traffic Study - Genesee Street and Ransom Road  
On September 14, 1982, the N.Y.S. Dept. of Transportation informed the Board that their investigation is complete and recommended removal of a portion of the embankment in the south east quadrant of the intersection and eventual reconstruction of the intersection. On October 6, 1982, Assemblyman Graber, at the request of the Town Board, replied that he will act on reconstruction of this intersection as swiftly as possible.
9. Traffic Study - Speed Reduction on William Street  
On May 20, 1982, the N.Y.S. Dept. of Transportation reported that they are re-evaluating this matter as their caseload permits.

PERSONS ADDRESSING TOWN BOARD:

Mr. David Croll, a partner in Global Cable TV, and Mr. Mark Palchick, an attorney from Liberty, New York, representing Tri-County Cablevision, Inc., explained to the Town Board the request of Global Cable TV for an assignment of their franchise to Tri-County Cablevision, Inc. and requested that the Town Board rule favorably upon this franchise transfer request.

PERSONS ASSESSING THE TOWN BOARD CONT'D.:

After a lengthy discussion of the various aspects of this transfer, the Town Board adopted a suspended resolution subject to certain conditions authorizing the transfer of the Lancaster Cable TV Franchise from Global Cable to Tri-County Cablevision, Inc.

At 10:10 P.M., the Town Board recessed in order to sit in at a meeting between representatives of the residents of Heritage Hills Subdivision and the Marrano Corp. relative to a discussion on future minimum building standards for this subdivision.

At 11:05 P.M., the Town Board reconvened with all members present.

COMMUNICATIONS:DISPOSITION

95. Richard Maides, Architect to Chair., Planning Board - Submittal of answers to questions regarding Belltower Village Project.	<u>PUBLIC HEARING</u>
96. CTECK to Town Clerk - Report of inspection of Town Hall boiler.	<u>BLDG. FOREMAN</u>
97. Highway Supt. to Town Clerk - Recommendation that bid contract for refuse dumping site be awarded to Lancaster Sanitary Landfill.	<u>R &amp; F</u> <u>HWY. SUPT.</u>
98. Senior Citizens to Town Board - Petition requesting Central Ave. school as Senior Citizens Center.	<u>R &amp; F</u> <u>HUMAN SERVICES</u>
99. Town Clerk to Supervisor - Monthly report for January 1983.	<u>R &amp; F</u>
100. Town Attorney to Supervisor - Transmittal of contribution from Lancaster Lions Club for expenses involving distribution of Federal surplus cheese.	<u>R &amp; F</u>
101. Town Attorney to Marrano Corp. - Request attendance at Town Hall on 2/14/83 to discuss development of future plans in Heritage Hills Subdivision.	<u>R &amp; F</u>
102. D.C.O. to Town Board - Monthly report for January 1983.	<u>R &amp; F</u>
103. Global Cable TV to Town Board - Request permission to transfer assets and franchises to Tri-County Cablevision, Inc.	<u>R &amp; F</u>
104. County Dept. of Youth Services to Supervisor and Youth Bureau Dir. - Notice of reduction in all requests for Youth Initiatives state aid.	<u>SUPERVISOR</u>
105. D.C.O. to Supervisor - Data relative to proposed dog enumeration.	<u>SUPERVISOR TO REQUEST</u> <u>REPORT</u>
106. Town Clerk to Town Board - Resume of actions taken in regards to Town Board meeting held 1/31/83.	<u>R &amp; F</u>
107. Highway Supt. to Town Board - Request action regarding purchases for 1983-84.	<u>TOWN CLERK FOR</u> <u>SUSPENDED RESOLUTION</u>
108. Town Engineers to Town Board - Cost estimates for improvements at Keysa Park and Town Center.	<u>TOWN ATTORNEY</u>
109. Supervisor to Global Cable TV - Request filing of report by 2/11/83 for distribution to Town Board members.	<u>R &amp; F</u>
110. Supervisor to Association of Towns - Transmittal of resolutions to be filed with Resolutions Committee for consideration at annual meeting.	<u>R &amp; F</u>
111. Recreation Dir. and Recreation Commission to Town Board - Request bid opening for arts and crafts supplies and sporting equipment.	<u>R &amp; F</u>

COMMUNICATIONS CONT'D.:DISPOSITION

112. Dir. of Recreation to Town Board - Notification of election of Michael Wehner to position of Chair., Recreation Commission.	<u>SUPERVISOR</u>
113. County Dept. of Environment and Planning to Supervisor - Request completion of various items in regards to ECSD No. 4 Project.	<u>TOWN ATTORNEY</u>
114. Supervisor to Global Cable TV - Comments and directives regarding proposed merger.	<u>R &amp; F</u>
115. Bowmansville V.F.A. to Town Board - Recommendation of new member to active roster.	<u>R &amp; F</u>
116. Youth Bureau Ex. Director to Supervisor - Recommendation of two new members to Youth Bureau.	<u>R &amp; F</u>
117. Buffalo Evening News Article - "Home Construction Very Low in Area".	<u>R &amp; F</u>
118. Supervisor to Various Citizens - Request attendance at meeting held 2/10/83 at Town Hall regarding retraining of existing employees for new jobs.	<u>R &amp; F</u>
119. Supervisor to Town Board - Notification of investment of funds during January 1983.	<u>R &amp; F</u>
120. Supervisor to County Dept. of Environment and Planning - Concurrence of completion of documents in connection with ECSD No. 4 Project.	<u>TOWN ATTORNEY</u>
121. N.Y.S. Dept. of Environmental Conservation to Supervisor - "Notice of Complete Application" regarding Permit for Stream Disturbance.	<u>R &amp; F</u>
122. Carmen S. DePaolo, Inc. to Supervisor - Minutes from the Police Consolidation General Committee meeting held 2/8/83.	<u>R &amp; F</u>
123. County Dept. of Environment and Planning to Supervisor - Advisement regarding ECSD No. 4 State eligibility determination.	<u>R &amp; F</u>
124. Supervisor to Town Board - Request authorization for David Brown to attend accounting class.	<u>R &amp; F</u>
The Supervisor requested a suspension of the necessary rule for immediate consideration of the following communications - <u>SUSPENSION GRANTED.</u>	
125. N.Y.S. Commission on Cable Television to Global Cable TV - Criteria regarding transfer of assets and franchises.	<u>R &amp; F</u>
126. Environmental Management Council to Supervisor - Notice of meeting to be held 2/15/83 at ECC City Campus.	<u>SOLID WASTE COMMITTEE</u>

COMMUNICATIONS CONT'D.:DISPOSITION

127. Supervisor to All Interested Parties -  
Explanation of 1983 Cheese Distribution  
Program.

R & F

128. Shelgren & Marzec, Architects to Supervisor -  
Cost estimates regarding Town Hall  
renovation.

SUPERVISOR  
CAPITAL COMMITTEE

129. Town Engineers to Town Board -  
Offer of services for improvements at  
Keysa Park and Town Center.

ATTORNEY  
SUPERVISOR  
CAPITAL COMMITTEE

ADJOURNMENT:

ON MOTION OF COUNCILMAN CZAPLA, AND SECONDED BY THE ENTIRE TOWN  
BOARD AND CARRIED, the meeting was adjourned at 12:05 A.M. out of respect  
to:

✓ DEAN BARROWS

✓ SUSAN GIORGINI

✓ PHILIP KORN

✓ CARLTON SHIRM

✓ NANCY ORSINI

Signed

Robert P. Thill

Robert P. Thill, Town Clerk